

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
CRIMINAL MINUTES - TRIAL

Case No. 7:08CR54 At ROANOKE Date 12/10/09

PRESENT: HON James C. Turk, JUDGE C. Patrick Hogeboom, III
S. Sakalas Judy Webb John Richmond, Cindy Chung
Deputy Clerk Court Reporter Asst. U.S. Attorney

U.S.A. v. (DEFENDANTS LISTED BELOW)

(1) William A. White
☒ present ☒ custody ☐ bond ☐ O/R
(2) _____
☐ present ☐ custody ☐ bond ☐ O/R
(3) _____
☐ present ☐ custody ☐ bond ☐ O/R
(4) _____
☐ present ☐ custody ☐ bond ☐ O/R

ATTORNEYS FOR DEFENDANTS

(1) David Damico, Raphael Ferris
☒ present ☐ apptd. ☒ retained
(2) _____
☐ present ☐ apptd. ☐ retained
(3) _____
☐ present ☐ apptd. ☐ retained
(4) _____
☐ present ☐ apptd. ☐ retained

_____ Case called and continued to _____ for trial.

_____ JURY TRIAL. The Jury impaneled and sworn (see attached list) _____ COURT TRIAL

☒ Introduction of evidence for Government begun ☒ concluded;

_____ Motion for judgment of acquittal ☐ granted ☐ denied ☐ under advisement

_____ Introduction of evidence for defendant begun, ☐ concluded;

_____ Motion for judgment of acquittal renewed ☐ granted ☐ denied ☐ under advisement

_____ Rebuttal evidence; ☐ Surrebuttal evidence; ☐ Evidence concluded

☒ Case continued to Dec. 11, 2009 at 9:00 for further trial

_____ Closing Arguments ☐ Jury charged by court

_____ Jury retires to deliberate at _____ jury returns at _____

_____ **JURY VERDICT.** (See signed verdict as to each defendant. _____ **FINDING BY COURT.**

(1) Defendant _____ (2) Defendant _____

(3) Defendant _____ (4) Defendant _____

_____ Jury polled. ☐ Polling waived. ☐ Mistrial declared. ☐ Jury discharged.

_____ Motion after verdict.

JUDGMENT: ☐ Defendant guilty ☐ Defendant not guilty

_____ Court received Presentence Report.

_____ Copy of Presentence Report not requested.

_____ A copy of same was furnished to counsel pursuant to Rule 32 F.R.C.P.

_____ Defendant to remain on bond.

_____ Defendant remanded to custody.

_____ Court orders presentence report.

_____ Case continued until _____ 20__ at _____ for sentencing.

_____ SENTENCE IMPOSED

_____ ss Initials of Deputy Clerk

(9:05 - 9:14)

In Chambers Conference re: Juror requesting audience with the Court. Counsel for parties present. Juror relates that he is prejudiced and has determined he cannot be impartial. Court excuses the juror.

(Begin 9:17)

Juror roll called - all jurors present. USA's motion to separate the witnesses granted.

USA (Chung) opening statement. Defendant (Ferris) opening statement.

USA introduces evidence.

(Recess 10:50 - Reconvene 11:30)

USA continues introduction of evidence.

(Recess 12:40 - Reconvene 1:43)

(Out of the presence of the jury)

USA to Court re: video conference for tomorrow.

Defendant recites overruled sidebar objection to USA exhibit #22 for the record. USA responds for the record.

(In the presence of the jury)

USA continues introduction of evidence.

Court releases jurors to report tomorrow at 9:00.

(End 4:22)

Total time in court: 5 hours, 22 minutes

Clerk: S. Sakalas